

JCO4 Rec'd PC/PTO 27 SEP 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): PATERSON, David
James
EXAMINER: Not yet known
SERIAL NO.: 10/534,888
GROUP ART UNIT: Not yet known
FILED: May 13, 2005
ATTORNEY DOCKET No.: P-7945-US
FOR: NITRIC OXIDE SYNTHASE GENE TRANSFER TO THE ATRIUM FOR
VAGAL TONE INCREASE

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application under 37 CFR 1.53(b), mailed September 8, 2005 (a copy of which is enclosed), Applicant(s) submit herewith the following:

1. ☒ an executed Declaration and Power of Attorney making reference to the above-identified application, and in compliance with 37 C.F.R. 1.63;
2. ☐ Applicant(s) Claim Small Entity Status; and
3. ☐ a Preliminary Amendment.

A response is due November 8, 2005. Accordingly, this response is being timely filed.

The Patent Office is hereby authorized to charge Deposit Account 50-3355 in the amount of \$65, covering the following:

10/03/2005 LLANDGRA 00000090 503355 10534888

01 FC:2617 65.00 DA

APPLICANTS: PATERSON, David James
 SERIAL NO: 10/534,888
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 Page 2

FEE CALCULATION					
1. BASIC FILING FEE					
	Filing Date BEFORE December 8, 2004		Filing Date ON/AFTER December 8, 2004		
	Large Entity Fee	Small Entity Fee	Large Entity Fee	Small Entity Fee	
Utility	\$790	\$395	\$1000	\$500	0
Provisional	\$160	\$80	\$200	\$100	0
Application Size Fee (over 100 pages, per 50)			\$250	\$125	0

2. EXTRA CLAIM FEES					
Total Claims		-20 =		x \$50	=
Independent Claims		-3 =		x \$200	=
Multiple Dependent				x \$360	=
	Large Entity Fee	Small Entity Fee	Fee Description		
	\$50	\$25	Claims in excess of 20		
	\$200	\$100	Independent claims in excess of 3		
	\$380	\$180	Multiple dependent claim, if not paid		

3. Fee for Petition for Extension of Time					
Large Entity Fee	Small Entity Fee				
\$120	\$60	Extension for reply within first Month			0
\$450	\$225	Extension for reply within second Month			0
\$1,020	\$510	Extension for reply within third Month			0
\$1,590	\$795	Extension for reply within fourth Month			0

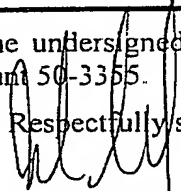
4. Surcharge Fee Under 37 CFR 1.16(f) or 1.492(e)					
	Large Entity Fee	Small Entity Fee			
Utility	\$130	\$65			\$65

5. Surcharge Fee Under 37 CFR 1.16(l)					
	Large Entity Fee	Small Entity Fee			
Provisional	\$50	\$25			0

TOTAL (all columns)					65
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If any additional fee is required, the undersigned hereby authorizes the Patent Office to charge such additional fee to Deposit Account 50-3355.

Respectfully submitted,


 Mark S. Cohen
 Attorney/Agent for Applicant(s)
 Registration No. 42,425

Dated: September 25, 2005

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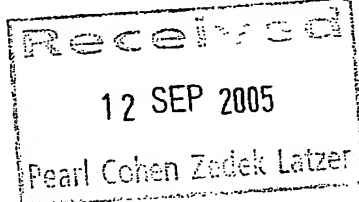


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/534,888	David James Paterson	P-7945-US

49443
 PEARL COHEN ZEDEK, LLP
 10 ROCKEFELLER PLAZA
 SUITE 1001
 NEW YORK, NY 10020



INTERNATIONAL APPLICATION NO.	
PCT/GB03/04934	
I.A. FILING DATE	PRIORITY DATE
11/13/2003	11/13/2002

CONFIRMATION NO. 8757
 371 FORMALITIES LETTER
 OC000000016955485
 OC000000016955485

Date Mailed: 09/08/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/13/2005
- Copy of the International Search Report filed on 05/13/2005
- Preliminary Amendments filed on 05/13/2005
- Oath or Declaration filed on 05/13/2005
- Small Entity Statement filed on 05/13/2005
- Request for Immediate Examination filed on 05/13/2005
- U.S. Basic National Fees filed on 05/13/2005
- Priority Documents filed on 05/13/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,888	PCT/GB03/04934	P-7945-US

FORM PCT/DO/EO/905 (371 Formalities Notice)